
11. HIGHWAY DEPARTMENT



11.1. PERMIT FEES



EDWIN W. EDWARDS
GOVERNOR

STATE OF LOUISIANA
DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT
P. O. Box 94245
Baton Rouge, Louisiana 70804-9245



JUDE W. P. PATIN
SECRETARY

February 21, 1994

ST. CHARLES PARISH WATER DISTRICT NO. 2
POST OFFICE BOX 108
LULING, LOUISIANA 70070

ATTENTION: MR. JACK SPIERS

Re: Annual Permit Fees

Gentlemen:

Due to recent legislation, we are required to ascertain information from all utilities concerning the number of customers they serve or the number of parishes in which they operate.

Please fill in the appropriate information on the enclosed sheet for our records and return to:

Louisiana Department of Transportation and Development
Utility & Permit Section 41 Room 524
P. O. Box 94245
Baton Rouge, LA 70804 9245

If you have any questions concerning this matter, please contact Ms. Karla Kemp at (504)379 1510.

Yours very truly,

EUGENE P. WAGUESPACK, P. E.
DIRECTOR OF CONSTRUCTION AND MAINTENANCE

JOHN COLLINS, P. E.
HEADQUARTERS UTILITY & PERMIT ENGINEER

JC/krk
ATTACHMENT

Do you own facilities within State highway right of way that run parallel to the highway?

yes ___ no

Do you own facilities that cross under or over a state highway?

yes ___ no

_____ <100 customers

_____ 101 500 customers

_____ 501 6000 customers

>6000 customers

If you are a transmission pipeline please indicate how many parishes you operate in. _____

Please indicate your main or "billing" address below if it is different from the address above.

ST. CHARLES PARISH, DEPARTMENT OF WATERWORKS
POST OFFICE BOX 108
LULING, LA 70070

STCHARW2

NOTE: THIS IS FOR WATER DISTRICTS No 1 + No 2 WHICH WERE CONSOLIDATED DURING 1989.

Jack Spiers
2-25-94



PARISH OF ST. CHARLES

DEPARTMENT OF LEGAL SERVICES

116 Lakewood Drive • Luling, Louisiana 70070
(504) 785-2076 or (504) 785-9283 • FAX: (504) 785-6056

CHRIS A. TREGRE
PARISH PRESIDENT

May 25, 1994

RANDY O. LEWIS
PARISH ATTORNEY

Ms. Kathleen LeBlanc
Department of Waterworks
P. O. Box 109
Luling, LA 70070

Re: Utility Operator's Highway Occupancy Permit Fees

Dear Ms. LeBlanc:

Please be advised that I have spoken with Carla Kemp with the Department of Transportation and Development concerning the Occupancy Permit Fees. Ms. Kemp has advised me that we are to only pay the \$700.00 bill. In addition, the Council had previously paid the \$20.00 bill so it will only be necessary for you to send a check for \$680.00. Next year we will only receive one bill.

If you should have any questions, please do not hesitate to contact me.

Best regards,

Dawn H. Higdon
Legal Assistant I



STATE OF LOUISIANA
DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT
P.O. Box 94245
Baton Rouge, Louisiana 70804-9245



March 17, 1994

DWIN W. EDWARDS
GOVERNOR

JUDE W. P. PATIN
SECRETARY

ST. CHARLES PARISH DEPT. OF WATERWORKS
POST OFFICE BOX 108
LULING, LOUISIANA 70070

ATTENTION: MR. JACK SPIERS

Attached are the Louisiana Revised Statute 48:381 and rules concerning fees for use of highway right-of-way. The deadline for submitting payment has been extended to April 30, 1994.

If you have been billed incorrectly, please contact the Right-of-way Permit Office at (504)379-1510. Note that this statute defines 'Utility Operator' and 'Transmission Pipeline' very broadly, to include all facilities placed in highway right-of-way.

INVOICE

(Utility Operator's Highway Occupancy Permit Fee)

DESCRIPTION	AMOUNT
Annual cost for permits within highway right-of-way.	\$700.00

This invoice is due and payable upon receipt.
Please remit payment to:
DOTD R/W Permit Office - Room 524
P. O. Box 94245
Baton Rouge, Louisiana 70804-9245
Return DOTD copy with payment.

STCHARW2

430-420544-440
DOTD R/w Permit fee
OPERATOR COPY *K. LeBlanc*

23. La. R.S. 48:381. Use and Occupancy of Highways
- a. When not inconsistent with the purposes of state highways, the chief engineer may issue permits for the use and occupancy of the rights-of-way state *highways* as follows:
 - 1) For the installation, operation and maintenance of underground pipes, conduits, or cables along or across the highways for the purpose of transporting or conveying fluids, telephone or telegraph messages, cable television signals, gases, or electric current for any purpose.
 - 2) For the installation, operation, and maintenance of overhead cables, pipes, conduits or wires, together with appropriate supporting structures, for the conveying or transporting of fluids, telephone or telegraph messages, cable television signals, or electric current for any purpose.
 - 3) For the erection, operation, and maintenance of structures crossing the highway over or beneath the traveled surface for the purpose of providing transcommunication for vehicles, pedestrians, cattle or railway rolling stock.
 - 4) For the erection, operation, and maintenance of structures for the shelter of waiting passengers at designated transit stops of a public transit system, provided that the municipality, parish, or other political subdivision which erects, operates, maintains, or owns the structure or structures under permits issued hereunder shall indemnify the state and its departments and agencies against any damage to any person or property which occurs as a result thereof.
 - b. All such installations shall be in accordance with the best modern practice and national underwriting standards and shall be so maintained. Permits shall be issued only to owners of the facility and shall be non-exclusive. Installations which will interfere with the proper operation and maintenance of highways are expressly prohibited.
 - 1) No installation may be made except upon the explicit condition that the owner thereof shall, at no cost to the department, remove or relocate the facility when that is necessary to permit the widening, relocation, or other improvement of the highway, when so ordered by the chief engineer of the department or his duly authorized representative; however, this condition shall not apply to the removal or relocation of municipally-owned utility installations located within the limits of the municipality in cases where the necessity of such removal or relocation is created by the construction, repair, or improvement of an interstate highway. In such instances the cost of removal or relocation shall be paid for by the department, and such payment shall be deemed a valid use of funds appropriated or otherwise made available to the department for highway purposes. Payment for such relocation or removal of municipally owned utility installations shall be made only as to projects in the process of construction on July 1, 1992, and projects begun thereafter. The making of such payments shall be conditioned upon the availability of federal aid funds to reimburse the department for such expenditures.
 - a) However, in such instances where a municipality, parish, or special district created by or pursuant to law or nonprofit water corporation or nonprofit gas district owns a utility installation, and it is necessary to remove or relocate such installation for the construction, repair,

widening, relocation, or improvement of a state or an interstate highway. and a public accountant, the Department of Transportation and Development, or the entity's private certified public accountant, after an examination of the books of such municipality, parish, special district, nonprofit water corporation, or nonprofit gas district, certifies that unencumbered funds are not available out of the accumulated unreserved earnings generated by the utility for payment for the removal or relocation of the utility installation, the department may contract itself for the proposed work to the utilities.

b)

- i. "Unencumbered funds" as used in this Subsection shall not include an amount equal to ten percent of the annual income from the utility that a municipality, parish, special district, nonprofit water corporation, or nonprofit gas district is hereby authorized to set aside as reserve. However, if the office of highways contracts itself for the utility removal or relocation, the municipality, parish, special district, nonprofit water corporation, or nonprofit gas district shall henceforth be prohibited from locating a utility installation in any state-owned right-of-way until the municipality, parish, special district, nonprofit water corporation, or nonprofit gas district reimburses the state for the cost of the removal or relocation. Notwithstanding the foregoing provision, the Department of Transportation and Development may enter into any contract allowing any municipality, parish, special district, nonprofit water corporation or nonprofit gas district to locate a utility installation in a state owned right-of-way if the contract is required by the public need.
- ii. The definition of unencumbered funds as used in this Section shall not be applicable unless and until there is approval of the Federal Highway Administration of the United States Department of Transportation.

- 3) The chief engineer, or his duly authorized representative, is hereby authorized to negotiate utility relocation agreements containing liquidated damages clauses, not to exceed .05 percent per day of the estimated utility's relocation costs, regarding delays caused solely by the unjustifiable delinquency of a utility in the completion of relocation work. The chief engineer, or his duly authorized representative, may decline the issuance of a permit to any utility company that is unjustifiably delinquent in completing a relocation project and shall continue to so decline until such a project is completed.
- 4) Where existing lines are to be relocated and the utility company does not have sufficient information of record to determine the location of its facilities, then the utility is required to advise the department and fully cooperate with the department's contractor by locating or exposing, if necessary, to enable the contractor to avoid or minimize damages during construction.
- 5) All nonmetallic utility lines installed or relocated within the highway right of way by permit or otherwise will be provided with pipe locator wire or tape acceptable to the department.

The chief engineer, or his duly authorized representative, may require a deposit in the form of a certified check or other guaranty in a form and in an amount deemed by him to be necessary for the proper protection of the state prior to the issuing of a permit when the installations require excavations, or at other times when he believes a deposit or guaranty is necessary to protect the department's interests.

The chief engineer, or his duly authorized representative, may also assess reasonable utility operator's annual permit fees in connection with the issuance of permits. Such fees as determined by the department shall not exceed the maximum fees as set in the following schedule:

UTILITY OPERATOR MAXIMUM ANNUAL FEE SCHEDULE

<u>Maximum Annual Fee</u>	<u>Operator Type</u>	<u>Customers</u>	
20.00	Class 1	0 - 100	\$
50.00	Class 2	101- 500	\$
\$200.00	Class 3	501-6000	
	Class 4	more than 6000	\$700.00
	Operator of Transmission Pipelines	\$100.00/Parish \$1.500.00/Maximum	

12. EXCAVATIONS



12.1. LA. ONE CALL

12.1.1. Requirements

The Louisiana Damage Prevention Law became effective July 26, 1988. R. S. 40:1749.13 requires excavators and demolishers to notify a Regional Notification Center of their excavation activity. Telephonic notice must be given at least 48 hours, but not more than 120 hours, in advance, excluding weekends and holidays. The owner/operator of an underground facility must mark the location or provide information to enable an excavator or demolisher using reasonable means to determine the location of the underground facility. R. S. 40:1749.14 states that each owner/operator of an underground facility, excluding cable television, shall conduct or participate in a Regional Notification Center. OSHA Regulation 29 CFR Part 1926 and the Pipeline Safety Act of 1992 also include provisions for excavation efforts.

12.1.2. Procedures

1. Call the Louisiana One Call Center at 1-800-272-3020 (toll free) 48 hours, excluding weekends and holidays, before digging is scheduled to begin. If less than a 48 hour notice is provided by the caller, the Louisiana One Call System members will have difficulty scheduling the marking activity. On all location requests except emergencies, the Louisiana One Call operator will advise the caller that the marking should take place within 48 hours. Have the following information available when calling:
 - Name and telephone number of the company doing the work and a contact person familiar with the operation and work location.
 - Date and time the digging is scheduled to begin.
 - Whether the work location is within the city limits or in the parish.
 - The address and/or a description of the work site location.
 - The name and/or number of the nearest intersecting roadway to the work site. Street intersections are the primary reference points used to identify the area in which the digging will take place and the Louisiana One Call members to be notified.

LA. ONE CALL (cont.)



- The distance and direction of the work site from the nearest intersection.
 - Advise the operator if the digging activity will parallel a roadway. If it does, indicate the starting point and the direction in which the work will proceed and for what distance.
 - If the digging is part of a large project, only provide information regarding the work to be performed within the next 2 or 3 days. If work progresses on schedule, then call in another request for the next 2 or 3 days of work. A call to Louisiana One Call should be a daily work activity.
2. Once the Louisiana One Call Operator receives information, the caller will be given a location request number. The Louisiana One Call organizations with buried lines in the vicinity of the work will be identified and sent a copy of the information as provided by the caller. The operator will provide the names of the utility companies and pipeline companies that Louisiana One Call will notify.
- NOTE: Not all utilities, communications, cablevision, pipeline companies and water companies, municipalities and political subdivisions participate in the Louisiana One Call System Program. If the digging activity will be in conflict with a line that is not covered by Louisiana One Call, notify that company or political entity directly.
3. If the 48-hour notice has been given, the Louisiana One Call members involved should have their lines marked before the digging is scheduled to begin. The following colors codes are required when the facility is marked:
- Red: Electric, power lines, cables, conduit, lighting cables.
 - Yellow: Gas, oil, steam, petroleum, gaseous materials.
 - Orange: Communications, alarm or signal lines, cable TV, conduit.
 - Blue: Water, irrigation, slurry lines.
 - Green: Sewers, drain lines.
 - White: Proposed excavation.
 - Pink: Temporary survey marking.
4. After calling Louisiana One Call:
- Retain the location request number for future reference. It is proof of the call to Louisiana One Call. Should someone have to call back for any reason the check on a ticket, the operator will need the request number to locate the file.

LA. ONE CALL (cont.)



- If the digging activity comes within 18 inches of a utility line, exercise extreme caution. Hand digging to expose the buried line is recommended.
 - Pipeline companies often require that their personnel be on site when digging takes place near their lines or within their rights-of-way.
 - When the underground location markings are obscured or no longer visible due to weather, construction activity or vandalism, a new marking should be requested through the Louisiana One Call Center. In this case the caller will be issued a new ticket number and 48 hours must be allowed for new markings to take place.
 - If a specific utility has a buried line in the area, but a marking was not provided within 48 hours as requested, contact the Center for assistance before digging. Louisiana One Call personnel will again notify the utility and advise then that the contractor is ready to dig.
5. CALLING LOUISIANA ONE CALL CENTER DOES NOT ELIMINATE THE EXCAVATOR'S LIABILITY FOR DAMAGES HE OR HIS EMPLOYEES MAY CAUSE.

12.2. LA. STATE LAW



The following is the Louisiana Underground Utilities and Facilities Damage Prevention Law. This law was originally passed in 1988 and was amended in 1992. The amendments have been incorporated into this document.

PART VIII. UNDERGROUND FACILITIES

This Part was originally enacted as Part VII of Chapter 8 of Title 40, consisting of R. S. 40:1761 by Acts 1988, No. 923,.1 On authority of R. S. 24:253, the Part was re-designated as Part VII of Chapter 8 of Title 40, and the sections as R. S. 40:1749.11 to 40:1749.22.

1749.11 Short title; purpose

- A. This part shall be known and may be cited as the “Louisiana Underground Utilities and Facilities Damage Prevention Law”.
- B. It is the public policy of this state to promote the protection of property, workmen, and citizens in the immediate vicinity of an underground facility or utility from damage, death, or injury and to promote the health and well-being of the community by preventing the interruption of essential services which may result from the destruction of, or damage to, underground facilities or utilities.

1749.12 Definitions

As used in this part, the following terms shall have the meanings ascribed to them in this Section:

- (1) “Damage” means any defacing, scraping, gorging, breaking, cutting, or displacement of, impact upon or removal of an underground facility or utility or its means of primary support.
- (2) “Demolition” means the total or partial wrecking, razing, rendering, moving, or removing of any building or structure, movable or immovable.
- (3) “Emergency” means any abnormal condition that endangers life or property including the interruption of vital services.
- (4) “Excavation” or “excavate” means any operation for the purpose of movement or removal of earth, rock, or other materials in or on the ground by the use of powered or mechanical or manual means, including pile driving, digging, blasting, auguring, boring, back filling, dredging, compressing, plowing-in, trenching, ditching, tunneling, grading, and mechanical probing.
- (5) “Excavator” means any person who engages in excavation operations.

LA. DAMAGE PREVENTION LAW (cont.)



(6) "Operator" means any person, individual, governmental agency or political subdivision or their agents, joint venture, firm, partnership, association, or corporation who owns or operates a public or private underground facility or utility which furnishes a service or material or stores, transports, or transmits electric energy, steam, oil, gases, gas, mixture of gases, petroleum, petroleum products, hazardous or flammable fluids, toxic or corrosive fluids/gases, including telephone or telegraph system, fiber optic electronic communication systems, or water or water systems, or drainage, sewage systems, or traffic control systems or other items or like nature.

(7) "Person" means an individual, firm, partnership association, corporation, joint venture, municipality, governmental agency, political subdivision, or agent of the state or any legal representative thereof.

(8) "Regional notification center" means a nonprofit association, or an organization of operators consisting of two or more separate operators, who jointly have underground facilities or utilities in three or more parishes in Louisiana, or an operator who has underground facilities or utilities in a majority of parishes in Louisiana and who is organized to protect its members or its own installation from damage.

(9) "Service line or lines" means underground facilities or utilities that provide power, gas, communication or water capabilities to a building or structure or buildings or group of structures.

(10) "Underground facility or utility" means any pipe, conduit, duct, wire, cable, valve, line, fiber optic equipment, or other structure which is buried or placed below ground or submerged for use in connection with storage, conveyance, transmission or protection of electronics communication system, telephone or telegraph system or fiber optic, electric energy, oil, gas, gases, steam, mixture of gases, petroleum, petroleum products, hazardous or flammable fluids/gases, toxic or corrosive fluids/gases, hazardous fluids/gases or other substances of like nature or water or water systems, sewage systems or traffic, drainage control systems, or other items of like nature.

LA. DAMAGE PREVENTION LAW (cont.)



1749.13 Excavation and demolition; prohibitions

A. Except as provided in this Section, no person shall excavate or demolish in any street, highway, public place or servitude of any operator, or near the location of an underground facility or utility, or on the premises of a customer served by an underground facility or utility without having first ascertained in the manner prescribed in Subsection B of this Section, the approximate location of all underground facilities or utilities in the area which would be affected by the proposed excavation or demolition.

B.(1) Except as provided in R. S. 40:1749:15, prior to any excavation or demolition, each excavator including cable television owners or operators, shall serve telephonic notice of the intent to excavate or demolish to the regional notification center or centers serving the area in which the proposed excavation or demolition is to take place. Such notice shall be given to the notification center at least 48 hours, but not more than 120 hours, excluding weekends and holidays, in advance of the excavation or demolition activity. Holidays shall consist of the following: New Year's Day, Good Friday, Independence Day; Labor Day, Thanksgiving Day, and Christmas Day.

(2) This notice shall contain the name, address, and telephone number of the person filing the notice of intent, and, if different, the person responsible for the excavation or demolition, the starting date, anticipated duration, and type of excavation or demolition operation to be conducted, the location of the proposed excavation or demolition and a statement as to whether explosives are to be used.

(3) Telephonic notice shall be recorded on tape or stored into an electronic data bank by the regional notification center and a record of the notice shall be retained for a three-year period from the date of notification.

(4) Notice shall be given and shall include a specific location request for excavation or demolition work to be performed at least 48 hours, but not more than 120 hours, excluding weekends and holidays, in advance of actual work commencement. Holidays shall consist of the following: New Year's Day, Good Friday, Independence Day; Labor Day, Thanksgiving Day, and Christmas Day. The marking of an operator's facility or utility shall be provided for excavation or demolition purposes only.

C. This part shall not only apply to activities by operators or land owners excavating their own underground facilities on their own property or operators' exclusive right-of-way provided there is no encroachment on the rights-of-way of any operator.

LA. DAMAGE PREVENTION LAW (cont.)



1749.14 Regional notification center

A. Each operator on an underground facility, excluding cable television but including all state agencies and political subdivision of the state, shall become a member of, participate in, and share the cost of a regional notification center, except as provided for in R. S. 40:1749.19.

B. A regional notification center receiving a notice of intent to excavate shall notify all member operators having underground facilities in or near the site of the proposed excavation.

C.(1) Each operator of an underground facility or utility, after having received the notification request from the regional notification center of an intent to excavate, shall supply, prior to the proposed excavation, the following information the person responsible for the excavation:

(a) The approximate location and type of all of its underground facilities which may be damaged as a result of the excavation or demolition.

(b) Unless otherwise required by federal or state statutes, the approximate location and type of underground facility may, at the operator's option, be marked to locate the facilities. If the facilities are visibly marked by the operator, they shall be marked by the operator by color coded paint, flags, or stakes or similar means using the American Public Works Association color code.

(2) If the operator does not visibly mark the location of these facilities or utilities, the operator must take action or provide information to enable an excavator using reasonable and prudent means to determine the approximate location of the facility or utility. The information provided by the operator shall include a contact person and a specific telephone number for the excavators to call. After the operator has received the notification request, the information on location, size, and type of underground facility must be provided by the operator to the excavator prior to excavation.

D. For the purpose of this Section, the approximate location of the underground facilities is defined as an area not wider than the width of the underground facility or utility as marked plus 18 inches on either side.

LA. DAMAGE PREVENTION LAW (cont.)



1749.15 Emergency excavation

The notice required under R. S. 40:1749.13 shall not apply to any person conducting an emergency excavation to ameliorate an imminent damage to life, health or property. Oral notice of the emergency excavation shall be given as soon as practicable to the regional notification center or each operator having underground facilities located in the area and, if necessary, emergency assistance shall be requested from each operator in locating and providing immediate protection to its underground facilities.

1749.16 Precautions to avoid damage

In addition to the notification requirements in R. S. 40:1749,13 and 1749.14 and the emergency notification requirements in R. S. 40:1749,15, each person responsible for an excavation or demolition operation shall do the following:

- (1) Plan the excavation or demolition to avoid damage to or minimize interference with underground facilities in and near the construction area.
- (2) Maintain a safe clearance between the underground facilities or utilities and the cutting edge or point of any power or mechanized equipment, taking into account the known limit of control of the cutting edge or point to avoid damage to facilities.
- (3) Provide support for underground facilities or utilities in and near the construction area, during excavation and back-filling operations, as may be reasonable necessary to protect the facility.
- (4) Dig test pits to determine the actual location of facilities or utilities handling electricity, gas, oil, petroleum products, or other flammable, toxic or corrosive fluid/gases if these facilities or utilities are to be exposed.

1749.17 Excavation or demolition; repair of damage

- A. Except as provided by Subsection B of this Section, each person responsible for any excavation or demolition operations which result in any damage to an underground facility or utility shall, immediately upon discovery of that damage, notify the operator of the facility of the location and nature of the damage and shall allow the operator reasonable time to accomplish necessary repairs before continuing the excavation, demolition, or back-filling in the immediate area of damage.

LA. DAMAGE PREVENTION LAW (cont.)



B. Each person responsible for an excavation or demolition operation which results in the damage to any underground facility or utility permitting the escape of any flammable, toxic or corrosive fluids/gases shall, immediately upon discovery of that damage, notify the operator, local police, and the local fire department and take any other action as may be reasonably necessary to protect persons and property and to minimize the hazards until arrival of the operator's personnel or police and fire departments.

1749.18 Participants of a regional notification program.

Owners of underground facilities or utilities who are, on October 1, 1989, members of, participate in, and share in the cost of an existing regional notification center, on or after October 12, 1989 shall be deemed in compliance with the provisions of R. S. 40:1749.14.

1749.19 Voluntary participation by parish governments

A. Each incorporated municipality or parish government which owns or operates, in its own right or through a special district or districts created pursuant to constitutional or statutory authority, a drainage system, a sewer system, drainage, water or water system, traffic control system, an electrical energy system and/or a gas system underground facility with its local jurisdiction which would otherwise be included in R. S. 40:1749.14, and which does not desire to be so included, shall adopt an ordinance indicating this desire by January 1, 1990. This ordinance shall be filed with the secretary of state for verification purposes. An incorporated municipality or parish government which fails to adopt the ordinance shall be subject to the provisions of this Part on and after January 1, 1990 or 4 months after the letter required by Subsection B of this section is sent, whichever occurs last

B. Before August 31, 1989, a registered letter shall be sent by each non-profit regional notification center to the governing authorities of all incorporated municipalities and parishes within which are located the underground facilities or utilities of the operators who compose the regional notification center. The letter shall advise the incorporated municipalities and parishes of the provisions of this Section and shall include a copy of this Section. The governing authorities of the incorporated municipalities and parishes shall then notify the appropriate special district or districts within their jurisdictions.

LA. DAMAGE PREVENTION LAW (cont.)



1749.20 Violations; penalties

A person who violates the provisions of this Part shall be subject to a fine of not more than \$250 for the first violation. Each subsequent violation shall be subject to a fine of not more than \$1000.

1749.21 Miscellaneous provisions

- A. This part shall not affect any civil remedies for personal injury or property damage, including damage to underground facilities or utilities.
- B. Nothing in this Part shall affect any permitting process granted to a parish, municipal, local or state governing authority.

1749.22 Preemption

No parish, municipal, local, or state governing authority may enact any ordinance or promulgate any rules or regulations which are in conflict with the provisions of this Part.

SECTION 11
EXCAVATIONS
REVISION: 08/02/01

13. PARISH REGULATIONS



13.1. SUBDIVISIONS

On December 10, 1999, The Parish Council adopted Ordinance No. 99-12-7, providing that the Code of Ordinances, Parish of St. Charles, State of Louisiana, be amended by revising Section IV.C. of Appendix C, the St. Charles Parish Subdivision Regulations of 1981, to reflect recent changes in design standards and materials specifications as required by the Department of Waterworks for the installation of water systems.

SUMMARY NO. 5003

INTRODUCED BY: CHRIS TREGRE
PARISH PRESIDENT
(DEPT. OF PLANNING & ZONING & DEPARTMENT OF
WATERWORKS)

ORDINANCE NO. 99-12-7

An ordinance of the Parish of St. Charles providing that the Code of Ordinances, Appendix C, the St. Charles Parish Subdivision Regulations of 1981, Parish of St. Charles, State of Louisiana, be amended to reflect changes in resubdivision regulations and administration.

WHEREAS, the St. Charles Parish Code of Ordinances, Appendix C, St. Charles Parish Subdivision Regulations of 1981 set forth the requirements for subdivision development in St. Charles Parish; and,

WHEREAS, the Department of Planning and Zoning and the Department of Waterworks requests changes in Appendix C, St. Charles Parish Subdivision Regulations of 1981 in order to promote adequately planned and developed subdivisions in St. Charles Parish; and,

WHEREAS, in order to promote the health, safety, and welfare of residents of St. Charles Parish with respect to waterworks impacts due to subdivision construction within buildable land areas in St. Charles Parish; and,

WHEREAS, the St. Charles Parish Council desires to enforce Appendix C, St. Charles Parish Subdivision Regulations of 1981.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That the St. Charles Parish Code of Ordinances, Appendix C, St. Charles Parish Subdivision Regulations of 1981, is hereby amended as follows:

PARISH ORDINANCE 99-12-7 (cont.)



- a. **Water Mains.** Water mains shall be a minimum of eight (8) inches in diameter. Larger diameter mains may be required by the Department of Waterworks to insure an adequate supply to the development. Water mains shall be valved at each intersection, as required at tees and crosses and at a minimum of every one thousand (1,000) feet. Valves shall be located as shown on approved plans and shall be set with stems vertical. The sub-divider will indicate the location of each valve by means of a "V" shaped notch cut into the curbing at the valve site. Each valve must have a valve box centered over the valve stem to allow free access of a valve wrench. The top shall be set level with the finished grade surface. A precast concrete slab shall be set around each valve box and the top level with the finished grade surface. A tee shall be used for ninety (90) degree bends.
 - b. **Cover.** Cover over water lines shall be maintained as follows:
 - (1) Eight (8) inch main lines shall have thirty-six (36) inches to forty (40) inches of cover.
 - (2) Mains larger than eight (8) inches shall have forty-two (42) inches to forty-six (46) inches of cover.
 - (3) Mains which cross under ditches shall be twenty-four (24) inches to twenty-eight (28) inches below the invert of the ditch.
 - (4) All water mains crossing canals shall be installed under the canal. Mains which cross under a canal shall be twenty-six (26) inches to forty (4) inches below the invert of the canal. If the invert of the canal is more than twenty (20) feet in width a casing must be installed.
 - c. **Water main looping.** All six (6) inch water mains of one thousand and five hundred (1,500) feet or more, and eight (8) inch water mains of one thousand (1,000) feet or more, including existing mains, shall be looped when practical to two (2) separate sources of water.
 - d. **Fire Hydrants.** Fire hydrants shall be installed not more than five hundred (500) feet apart on the property line extended and at ends of lines to allow for flushing. Install all hydrants in an exact vertical position. Pumper nozzles shall face toward the street. Hydrants shall have proper bury length so that the bottom of the safety flange is between five (5) inches and eight (8) inches above finished grade level. Each hydrant shall have a six (6) inch main lead of at least three (3) feet. Hydrants shall be attached with Romac grip ring pipe restraints. Hydrant valves shall be a minimum of three (3) feet from hydrants located along a highway or thoroughfare and shall be valved. Hydrants that require valves shall be connected to a mechanical joint x flanged tee. See Detailed Specifications Section for hydrant installation details.
 - e. **Pipe.** Pipe shall be received, stored, handled, and installed strictly in accordance with the manufacturer's instructions. Only lubricant specified by the pipe manufacturer shall be used. Ends of pipe and fitting shall be thoroughly cleaned before applying joint lubricant. During joint assembly, PVC pipe shall be pushed into the bell up to the circumferential reference mark. In no case will solvent cement be used for joining pipe. Tighten mechanical joint bolts alternately on opposite sides in order to compress the gasket uniformly. All underground pipe and fittings shall be covered with eight (8) mil polyethylene film.
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PARISH ORDINANCE 99-12-7 (cont.)



Pipe shall be installed according to applicable AWWA standards. Each section of pipe and each fitting shall be examined for defects before lowering into the trench. Any defective or damaged material shall be rejected and removed from the work site. All pipe and accessories shall be carefully lowered into the trench in such a manner to prevent damage. Under no circumstances shall pipe or accessories be dumped or dropped into the trench. Holes for couplings or bells shall be cut for all pipe regardless of type of pipe used. The barrel of the pipe shall rest evenly on the trench from end to end except for coupling or bell holes. If the trench bottom will not support the weight of the fitting, a foundation of select earth or shell shall be installed. Holes shall be sufficiently large to allow proper makeup of joint so that joints do not support the pipe weight. All pipe and material shall be kept clean during and after laying. If necessary, a swab will be used. Trench water shall not be permitted to enter pipes. The Department of Waterworks reserves the right to suspend pipe laying operations when unsuitable trench conditions exist. When pipe laying is not in progress, the open ends of the pipe shall be closed by use of temporary pipe plugs or "night caps". Plywood, or similar make-shift blocking which does not produce a water tight seal, will not be acceptable. All pipe shall be laid true to alignment and grade. Required horizontal or vertical deflection shall not exceed seventy-five (75) percent of the maximum recommended by the pipe manufacturer. Hot taps made by a Mueller CL-12 or C1-36 tapping machine. All plugs, tees, bends and hydrants shall have celcure treated lumber rated for underground use for thrust blocks and fixture foundation of sufficient size to resist the force of water on or through the fitting. Any underground facility installed on a highway right-of-way that is non-conductive to electrical current must be installed with a non-corrosive tape placed directly over and on the center of the facility about twenty-four (24) inches above the pipe. The tape must be connected to all fixtures and appurtenances. A tracer wire shall also be attached directly to the pipe, all fixtures and appurtenances. The tracer wire will be run to the top of each valve box to allow direct connection to the wire. Radial clearance between parallel water and sewer line shall be not less than six (6) feet radial distance from water lines. In the event that sewer lines cross water mains, sewer lines must be at least eighteen (18) inches below water main at a 90 degree crossing. No utilities shall be installed directly above the water lines running parallel or closer than three (3) feet to the center of the water main.

- f. **Meter Service Lines.** Underground service line valves and fittings shall conform to AWWA C800. Corporation stops shall be Mueller H-15000, or approved equivalent. Curb stops shall be Mueller H-15166, or approved equivalent. Copper tubing conforming to AWWA C800 or polyethylene tubing of two hundred (200) pounds per square inch PE3408, or approved equal conforming to AWWA C901 and ASTM D2737, may be used for one (1) inch service lines.
- g. **Backflow Preventer.** Water service installations for meter sizes five-eighth (5/8) inch by three-fourths (3/4) inch and one (1) inch shall be made by the Department of Waterworks at the current installation charge. Meter sizes of two (2) inches and larger, and all industrial customers must have a reduced pressure backflow preventer and must be installed by a qualified contractor according to Department of Waterworks material and installation specifications.

PARISH ORDINANCE 99-12-7 (cont.)



Subdivider Responsibility. The subdivider shall conduct all work in such a manner that will not disturb existing water lines or contaminate drinking water in existing Department of Waterworks lines. The subdivider must take every precaution to keep water mains clean before and during installation to avoid unnecessary delays due to bacteriological contamination. The subdivider shall not expose, cut, tap into, or connect to existing Department of Waterworks lines, and shall not open or close any valves or any fire hydrants without securing permission of the Department of Waterworks. A department representative must be present during any such action. The subdivider must purchase water used for any purpose other than for pre-arranged flushing and testing of water lines. Any breakage of existing water lines or other utilities is the responsibility of the subdivider.

3. **Construction Inspection.** The installation of water systems shall be inspected by the Department of Waterworks designated inspector for compliance with approved plans and specifications at the expense of the subdivider. The subdivider shall extend full cooperation to the inspector in the course of making inspections and shall comply with all reasonable requests to observe work in progress and to review work which has already been performed. The inspector will be allowed an opportunity to inspect all lines, valves and fittings before being covered. Required pressure and leakage tests shall be witnessed by the inspector and by Department of Waterworks' personnel. The Department of Waterworks shall be reimbursed for all fees and expenses incurred by the inspector, prior or concurrent with, requesting the Department of Waterworks to approve the installation.
4. **Testing and Disinfecting Water Lines.** Flushing, pressure tests and leakage tests for ductile iron, polyethylene, and PVC pipe shall be performed in accordance with applicable sections of AWWA C600 at the pressures, time and allowable leakage stated below.
 - a. **Flushing.** Before testing and disinfecting, the pipe shall be flushed clean with potable water. The subdivider shall notify the Department of Waterworks prior to filling and flushing new lines. The subdivider shall not operate any valves in the water system without securing permission from the Department of Waterworks. Flushing shall be accomplished through a stand pipe of the same diameter of the newly installed water main. Department of Waterworks' personnel shall be present prior to any flushing. The contractor will be allowed four times the volume of water in the pipe being laid for flushing purposes. Any additional water required for flushing shall be charged to the subdivider at the current water rates.
 - b. **Pressure Test.** Department of Waterworks' personnel shall be present prior to the commencement of any pressure test. Each section of line between valves, or a longer section if permitted by the Department of Waterworks, shall be submitted to a hydrostatic pressure test of one hundred and twenty (120) pounds per square inch for not less than two (2) hours. Water lines being pressure tested can only be connected to a Department of Waterworks line by the use of a reduced pressure backflow assembly. Each section of pipe to be tested shall be slowly filled with water, and all air shall be expelled from the pipe through taps at points of highest elevation in the section to be tested. If hydrants or "blow offs" are not available at high spots in the line for air removal, then taps shall be made to accommodate a standard three-fourths (3/4) inch Mueller H-15000 corporation stop with Mueller threads, or equal, which shall be removed and the tap plugged with a brass plug upon completion of the test. After the test pressure of one hundred and twenty (120) pounds per square inch has been obtained, the subdivider shall verify that all valves in the section being

tested are open completely and then they may commence the leakage test in accordance with AWWA C605-94 standards.

PARISH ORDINANCE 99-12-7 (cont.)



If any loss in pressure is noted during the two (2) hour test period, the subdivider shall examine the pipe line and determine the source of leakage. If leaks are found in a joint, the joint shall be disassembled and necessary repairs made. Clamps shall not be used to repair leaks. Any cracked or defective pipes, fittings or specials discovered in consequence of this pressure test shall be removed and replaced with sound material at the subdivider's expense. After repairs, the section of line shall be re-tested until a hydrostatic pressure of one hundred and twenty (120) pounds per square inch is maintained for not less than two (2) hours.

- c. **Leakage Test.** After the water line has passed a pressure test, a leakage test shall be performed. Leakage shall be defined as the quantity of water that must be supplied into the pipe section being tested to maintain a pressure within five pounds per square inch (5 psi) of the specified leakage test pressure after the pipe has been filled with water and the air in the pipeline has been expelled. No installation will be accepted if the leakage is greater than that determined by the formula:

$$L = (ND \times \text{Square Root of } P) \text{ Divided by } 7,400$$

Where: L = allowable leakage, in gallons per hour

N = Number of joints in the length of

pipeline tested

D = nominal diameter of pipe, in inches

P = average test pressure during the leakage test, in pounds per square inch (gauge)

$$\text{Leakage gallons per hour} = (\# \text{ of joints}) \times (\text{Pipe Diameter}) \times X$$

(.00148)

All pressure and leakage tests are performed at one hundred and twenty pounds per square inch (120 psi).

Water lines being tested for leakage must not be connected to a Department of Waterworks line by the use of a reduced pressure backflow assembly. The pipeline as a whole, or in such sections as the Department of Waterworks may designate, shall be tested to a pressure of one hundred and twenty (120) pounds per square inch. The stated pressure shall be held a sufficient time to allow a true evaluation of leakage and shall depend upon the length of time tested, except that in no event shall the pressure be maintained for less than two (2) hours. Suitable means shall be provided for determining the quantity of water lost by leakage during the final hydrostatic pressure test. No pipeline or portion thereof shall be accepted until or unless the leakage is within the limit of 0.00148 gallons per joint per inch of nominal pipe diameter per hour. Any section of line that fails to meet the leakage test shall be repaired by the subdivider and re-tested until the leakage is within the allowable limits. Final pressure and leakage tests must be witnessed by the Department of Waterworks inspector.

- d. **Disinfecting.** After completion of leakage tests, all parts of the pipelines installed shall be disinfected by the Department of Waterworks at the subdivider's expense. Disinfection shall conform to AWWA Standard C651. If the discharge of highly chlorinated water would be harmful to vegetation, wildlife, or the environment, measures must be taken to impound and neutralize the chlorinated water prior to discharge, or to remove and dispose of same in an approved manner, at no additional cost to the Department of Waterworks.

PARISH ORDINANCE 99-12-7 (cont.)



- e. **Chlorine Application.** All new mains and services, and any portion of existing mains repaired, shall be chlorinated by the application of sufficient chlorine provide a chlorine residual of not less than ten (10) parts per million after the chlorine solution is in the line. It should be sufficiently clean after proper precautions during the laying and flushing of the line so that an initial application of fifty (50) parts per million of chlorine will produce the required residual. Additional chlorine may be necessary if the mains chlorine solution is in the line. Chlorine solution shall be applied at one end of the line being disinfected. Water shall be withdrawn from the opposite end, and from the ends of all branches, until the chlorine solution completely fills all lines to be disinfected. Valves and hydrants in the lines being chlorinated shall be operated while the chlorine solution is in the line.
 - f. **Final Flushing.** After the twenty-four (24) hour retention period, the chlorine solution shall be flushed out of the lines for appropriate disposal, and the lines filled with potable water. The lines shall then stand for twenty-four (24) hours before samples are taken for bacteriological tests. Sample points shall be installed as directed by the Department of Waterworks. Samples shall be taken by Department of Waterworks personnel and submitted to the State Department of Health for bacteriological examination. If any samples show a positive reaction, that portion of the line represented by the sample shall be disinfected again and the flushing and sampling repeated. This procedure shall be repeated until all portions of the system are completely disinfected.
5. **Materials Specifications.** Specification references to Standard Specifications of AWWA, ASTM, ANSI, AWWA, etc., shall apply to the latest edition, revision, or addendum thereto.
- a. **Ductile iron pipe** shall be mechanically joint type manufactured and factory tested in accordance with AWWA C150 and AWWA C151, Class 50, cement lined, conforming to AWWA C104.
 - b. **Polyvinyl Chloride (PVC) plastic pipe** shall be Class 150 with integral bell that meets the requirements of AWWA C-900 and Underwriter's Laboratories (UL). The pipe shall meet requirements of wall thickness, of dimension ration DR18 and shall be manufactured to ductile iron size outside dimensions. Only blue colored PVC pipe shall be used for underground installation. The standard length shall be twenty (20) feet. The bell shall consist of an integral wall section with reinforced rubber ring. Mechanical joint fittings will be used with PVC pipe.
 - c. **Ductile iron mechanical joint fittings** shall be the compact type conforming to AWWA C153 and AWWA C110 rated for three hundred and fifty (350) pounds per square inch working pressure, cement lined in accordance with AWWA C104 with joints, ring type gaskets, lubricant and accessories conforming to applicable requirements of AWWA C1 11. Usaloy, or equal, corrosion resistant bolts shall be used.
 - d. **Gate valves** shall be iron bodied, epoxy coated interior, fully supported modified wedge disc with a resilient rubber seat ring internally reinforced by a concentric steel ring, which are manufactured and tested in accordance with AWWA specification C509. They shall be two hundred (200) pounds per square inch working pressure and four hundred (400) pounds per square inch test pressure. Valves shall have a non-rising stem with a two (2) inch square wrench nut, and

PARISH ORDINANCE 99-12-7 (cont.)



- shall open by turning counterclockwise and shall be equipped with O-ring stem seals. Valves shall be Mueller series A2360-20 or approved equal
- e. **Tapping sleeve valves** shall be similar to gate valves specified above and shall be Mueller A2360-16 or approved equal.
 - f. **Tapping sleeves** shall be the stainless steel type. The body shall be a full circle band that meets or exceeds the Department of Waterworks specifications for repair clamps, stainless steel 18-8 type 304 with gridded overlapping virgin neoprene rubber gasket. The flange shall be 304 (18-8) stainless steel or ductile iron AWWA C207 Class D ANSI one hundred and fifty pound drilling recessed to accept a standard tapping valve. Tapping sleeves shall be Smith-Blair 662 or 663, JCM 432 or Romac SST.
 - g. **Valve boxes** shall be constructed of cast iron for roadway service, with a minimum inside diameter of five and one-quarter (5 1/4) inches. The box shall be the adjustable crew type consisting of two pieces (base and top section), and shall include a cover. The cover shall be of the deep (two inches) socket type with the word "water" cast on the top. The box shall be Tyler 461 -S/562-S or approved equal.
 - h. **Valve box risers** shall be made of cast iron for roadway service. The riser shall fit into the top section of Tyler 461-S/562-S valve boxes and shall accept the lid. The riser shall be a Trumbull 357 series or approved equal.
 - i. **Fire hydrants** shall conform to AWWA specification C-502. Main valve shall be five and one-quarter (5 1/4) inch compression type which closes with pressure. Hydrant shall have two (2) nozzles at a measurement of two and one-half (2 1/2) inches and one nozzle at a measurement of four and one-half (4 1/2) inch "pumper nozzle"; all nozzles shall have nozzle caps and cap chains. All nozzles shall have National Standard threads. Operating nut shall be pentagonal, measuring one and one-half (1 1/2) inches from point to flat. Hydrant shall open by turning counter-clockwise. Hydrant shoe shall have mechanical joint connection for six (6) inch pipe. Hydrant barrel shall be of suitable length to set breakaway flange between three (3) inches and six (6) inches above finished grade. Fire hydrants shall be red in color. Hydrants shall be Mueller A-423 Super Centurion 200 or equal.
 - j. **Romac grip ring pipe restrainers** shall be used for the installation of fire hydrants, tees, valves and any directional change of water main.
 - k. **Concrete precast slabs** around valve boxes shall be two thousand and five hundred (2,500) pound compression strength at twenty-eight (28) days, two (2) feet square and four (4) inches thick. The circular opening in the center of the slab shall be approximately three-fourths (3/4) inches greater in diameter than the outer diameter of the valve box.
 - l. **Repair clamp** shall be complete circle stainless steel clamp pre-assembled with a gasket, a bridge plate, lugs, nuts, and bolts. The band shall be stainless steel type 304 with ends contoured into and positively attached to ductile iron or stainless steel lugs. The gasket shall be lap type with tapered ends, gridded, or virgin neoprene rubber for water service. The bridge plate shall be stainless steel type 304 recessed flush and bonded into the gasket. Bolts shall be high strength, low alloy steel with heavy semifinished hexagon nuts to AWWA C111 standards. Lugs shall be ultra high strength ductile iron to ASTM A536 or stainless steel. The clamp shall be Smith-Blair 226 or 261, JCM 101 or 131, or Romac CLI or SSI.

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- m. **Lumber** for thrust blocks or fixture foundation shall be secure pressure treated southern yellow pine, either rough sawn or dressed with not less than three-fourths (0.75) pounds retention and rated for underground use.
- n. **Concrete posts** shall be not less than one and one-half (1 1/2) inches square with a length of seven (7) feet for valve markers. Each post shall be reinforced with two (2) Number Three (No. 3) deformed reinforcing bars.
- o. **Canal crossing casing** shall be installed as per Department of Waterworks specifications. Casing shall be one-half (0.50) inch steel with one-half (0.50) mil asphalt coating on the inside and outside. Ductile iron water main shall be used in all casings. When determined appropriate by the Department of Waterworks, a valve shall be installed on each side of the canal.
- p. **Sprinkler System** installations must have a reduced pressure detector assembly Hersey Model 6 CM-RPDA or a Watts 909 RPDA, bronze or epoxy coated, installed in the main line. A Sensus SR 5/8 inch X 3/4 inch meter must be installed across the check valve and routinely read to detect any unauthorized usage on the sprinkler line. This meter will be installed, read and billed the minimum rate only, at the customer's expense. A complete set of drawings of a proposed sprinkler system installation must be submitted to the Department of Waterworks for approval. All taps, tie-ins and installations will be made at the customer's expense. See detailed Specifications Section for sprinkler system installation requirements.

A Diagrams and Detailed Specifications Section is proposed as Section VI. Detailed Diagrams and Specifications.

- Fire Hydrant Detail
- Canal Crossing Casing Drawing
- PVC Casing Diagram
- Reduced Pressure Backflow Specifications and Diagram
- Sprinkler System Specifications and Diagrams
- Pipe Deflection Diagrams and charts

The foregoing ordinance having been submitted to a vote, the vote thereon was as follows:

YEAS: RAMCHANDRAN, MINNICH, CHAMPAGNE, PHILLIPS, AUTHEMENT, JOHNSON

NAYS: NONE

ABSENT: ALEXANDER, DUHE, SIRMON

And the ordinance was declared adopted this 6th day of December 1999, to become effective five (5) days after publication in the Official Journal.

PARISH PRESIDENT: Chris Tregre